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10/593,724

09/21/2006

Hideaki Yajima

2006_1206A

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06/14/2010

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EXAMINER

PHANTANA ANGKOOK, DAVID

ART UNIT

PAPER NUMBER

2175

NOTIFICATION DATE

DELIVERY MODE

06/14/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ddalecki@wenderoth.com

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Office Action Summary

Application No.

10/593,724

Applicant(s)

YAJIMA ET AL.

Examiner

David Phantana-angkool

Art Unit

2175

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/220)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

1. This action is responsive to the following communications: RCE filed on March 10th, 2010.
2. Claims 18-24 are pending claims.
3. Applicants amended claims 18-20 and 24.

Continued Examination Under 37 CFR 1.114

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/10/2010 has been entered.

Claim Rejections - 35 USC § 102

5. **The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:**

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. **Claims 18-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Jay Ray, "Mac Os X Unleashed, Chapter 4, "The Finder: Working with Files and Applications" (hereinafter Ray).**

As for independent claim 18:

Ray shows a guidance display device which holds a first display region for displaying first display data, a second display region for displaying second display data, and a guidance display region for displaying a guidance content, said guidance display device comprising:

Art Unit: 2175

- a first guidance display unit configured to display first display data in the first display region, see "Jray, Shared, test" in Fig. 4.12—left most column);
- a second guidance display unit configured to display second display data in the second display region (see "Amy, BMS 2.5f,...sites" in Fig. 4.12—center column);
- a third guidance display unit configured to display (Chapter 4, Pg. 2, Ray shows The Finder which offer a plurality of options to the user to navigate through data using windows, menus and the keyboard), in the guidance display region, a synthesized or combined guidance content which is synthesized or combined from a first guidance content for operating the first display data displayed in the first display region (Chapter 4, Pgs. 11 and 12, Figs. 4.11 and 4.12, Ray shows a Column View, where each column represent a separate hierarchy file level viewing) where and a second guidance content for operating the second display data within the second display region (see column in Fig. 4.11 and Fig. 4.12), wherein the guidance display region is separate from the first and second display regions (Ray shows a plurality of separate and distinct columns in Figs. 4.11 and 4.12).

As for dependent claim 19:

Ray shows the *guidance display device according to Claim 18, further comprising a guidance contents holding unit configured to hold the first guidance and the second guidance contents, wherein said third guidance display unit is configured to synthesize, into the synthesized guidance, the first guidance content and the second guidance content which have been obtained from said guidance contents holding unit according to an obtainment order indicating an order of obtaining the first guidance content and the second guidance content* (Chapter 4, Pg. 13; Ray shows a Column View Options which allows the user to preview file and navigate deep within different hierarchy using a keyboard)

As for dependent claim 20:

Ray shows the *guidance display device according to Claim 19 further comprising: a determination unit; and a third display region including the first and the second display regions* (see Fig. 4.12, very right column where the columns shows a preview of "MANUAL_P3300.pdf"), *wherein said third guidance contents holding unit is further configured to hold a third guidance content that is a guidance for*

Art Unit: 2175

operating the first and the second display data, the third guidance content corresponding to the third display region, said determination unit is configured to determine whether or not the first or the second display data is to be operated, and said guidance display unit is configured to display, in the guidance display region, a guidance synthesized from the first guidance content and the third guidance content when said determination unit determines that the first display data is to be operated (Pgs. 11-12).

As for dependent claim 21:

Ray shows the *guidance display device according to Claim 20, wherein, in the case of change in a facing direction of said guidance display device, said guidance display device changes an arrangement of at least one of the first display region, the second display region, and the guidance display region, and to display, in the guidance display region, the synthesized guidance content obtained by combining plural guidance contents corresponding to the first and the second display regions which are rearranged as a result of the change in the arrangement* (Columns shows in Fig. 4. 12 are displayed in response to the user selecting Jray in left column, selecting "MANUAL_P3300.pdf" in center columns, and then the right column shows a preview of the selected file).

As for dependent claim 22:

Ray shows the *guidance display device according to Claim 21, wherein the change in the facing direction is turning said guidance display device or folding said guidance display device* (In left column shown in Fig. 4.12, Ray shows a visual icon indicating that the user may expand on the item such as "Jray, Shared, and Test").

As for dependent claim 23:

Ray shows the *guidance display device according to Claim 22, wherein turning said guidance display device is turning said guidance display device approximately 180 degrees* (See Chapter 4, Figs. 4.7 and 4.12, Pgs. 7 and 8; where Ray shows a List View which display items along the Y-axis instead of x-axis as shown in the Column View).

As for independent claim 24:

Claim 24 contains similar substantial subject matter as claimed in claim 1, and is respectfully rejected along the same rationale.

Art Unit: 2175

It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re *Heck*, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re *Lemelson*, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

The Examiner notes MPEP § 2144.01, that quotes *In re Preda*, 401 F.2d 825, 159 USPQ 342, 344 (CCPA 1968) as stating "in considering the disclosure of a reference, it is proper to take into account not only specific teachings of the reference but also the inferences which one skilled in the art would reasonably be expected to draw therefrom." Further MPEP 2123, states that "a reference may be relied upon for all that it would have reasonably suggested to one having ordinary skill the art, including nonpreferred embodiments. *Merck & Co. v. Biocraft Laboratories*, 874 F.2d 804, 10 USPQ2d 1843 (Fed. Cir.), cert. denied, 493 U.S. 975 (1989).

Response to Arguments

7. Applicant's arguments filed 03/10/2010 have been fully considered but they are not persuasive.
8. Applicants argue that the prior art does not teach a first guidance display unit configured to display first display data in the first display region; a second guidance display unit configured to display second display data in the second display region.

The Office respectfully disagrees.

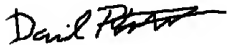
9. It is noted that the limitations argued by the Applicants above were not recited in the last Office Action. Ray shows the a first guidance display unit configured to display first display data in the first display region and a second guidance display unit configured to display second display data in the second display region in "Jray, Shared, test" in Fig. 4.12—left most column and "Amy, BMS 2.5f,...sites" in Fig. 4.12—center column, respectively. Thus Ray shows all the limitation in independent claim 18 including the limitations above.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Phantana-angkool whose telephone number is 571-272-2673. The examiner can normally be reached on M-F, 9:00-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on 571-272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



/David Phantana-angkool/
Examiner, Art Unit 2175

/William L. Bashore/

Supervisory Patent Examiner, Art Unit 2175